

BILL NO. S-73-05-08

SPECIAL ORDINANCE NO. S- 60-73

AN ORDINANCE approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated March, 1973, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety and International Harvester for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, for a cost to International Harvester in the sum of \$51,688.50, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated §48-6176, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Linga  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,  
W. B. Tele  
CITY ATTORNEY

Read the first time in full and on motion by Wing, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 5/8/73

Charles W. Whitman  
CITY CLERK

Read the third time in full and on motion by Wing, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~last~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 5/22/73

Charles W. Whitman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. S-60-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Whitman  
CITY CLERK

Winfield E. Mas JR.  
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 4:00 o'clock A. M., E.S.T.

Charles W. Whitman  
CITY CLERK

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

Don A. Keam  
MAYOR

Bill No. S-73-05-08

REPORT OF THE COMMITTEE ON Finance

We, your Committee on Finance to whom was referred an Ordinance  
approving a contract between International Harvester Company and  
the City of Fort Wayne by and through its Department of Public Safety  
for fire protection.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

William T. Hinga - Chairman

John Nuckols - Vice-Chairman

James S. Stier

Samuel J. Talarico

Paul M. Burns

DATE 5-22-13 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

# FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this \_\_\_\_\_ day of March, 1973, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and INTERNATIONAL HARVESTER COMPANY, a corporation having a place of business in Adams Township, Allen County, Indiana ("IHC").

WHEREAS, IHC is the owner of certain improvements, upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of IHC located in an area bounded by New Haven Avenue on the North; Meyer Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street extended), with the exception of the ND Warehouse property (Harback Realty Co.) located on the SE corner of the above area, which said area is visually shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon tax duplicates numbered 389652 (\$3,826,910.00) and 389674 (\$1,109,910.00) issued by the Treasurer of Allen County, Indiana;

and, WHEREAS, IHC desires to be assured that fire protection by CITY is available at the premises above-described;

NOW, THEREFORE, the parties agree as follows:

1. From March 26, 1973 until March 25, 1974, upon the receipt by CITY's Fire Department of a notification or signal

that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, IHC shall pay to CITY the sum of One Dollar and Four and Seven-Tenths of a Cent (\$.047) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$4,936,820.00, the sum owing under this contract is \$51,688.50. Said sum shall be payable as follows: \$25,844.25 upon execution of this contract; and, the balance on or before September 26, 1973.

3. CITY shall cause its fire department personnel and Fire Prevention Bureau personnel to inspect IHC buildings, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and IHC operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been

signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

INTERNATIONAL HARVESTER COMPANY

By Herman A. Ehrman  
Herman A. Ehrman,  
Plant Manager.

ATTEST:

R. E. Wade  
Robert E. Wade,  
Plant Controller.

CITY OF FORT WAYNE, Indiana

By Ivan A. Lebamoff  
Ivan A. Lebamoff, its Mayor

ATTEST:

Charles W. Westerman  
Charles W. Westerman, Clerk

BOARD OF COMMISSIONERS,  
DEPARTMENT OF PUBLIC SAFETY

By Thomas J. Casaburo  
Thomas J. Casaburo, Chairman

By Corrinne M. Brooks  
Corrinne M. Brooks, Member

By Lloyd R. Wire  
Lloyd R. Wire, Member

ATTEST:

John P. [Signature]

I hereby certify that the foregoing contract was  
ratified and approved by the Common Council of the City of  
Fort Wayne, Indiana, on \_\_\_\_\_, 1973.

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Charles W. Westerman, Clerk

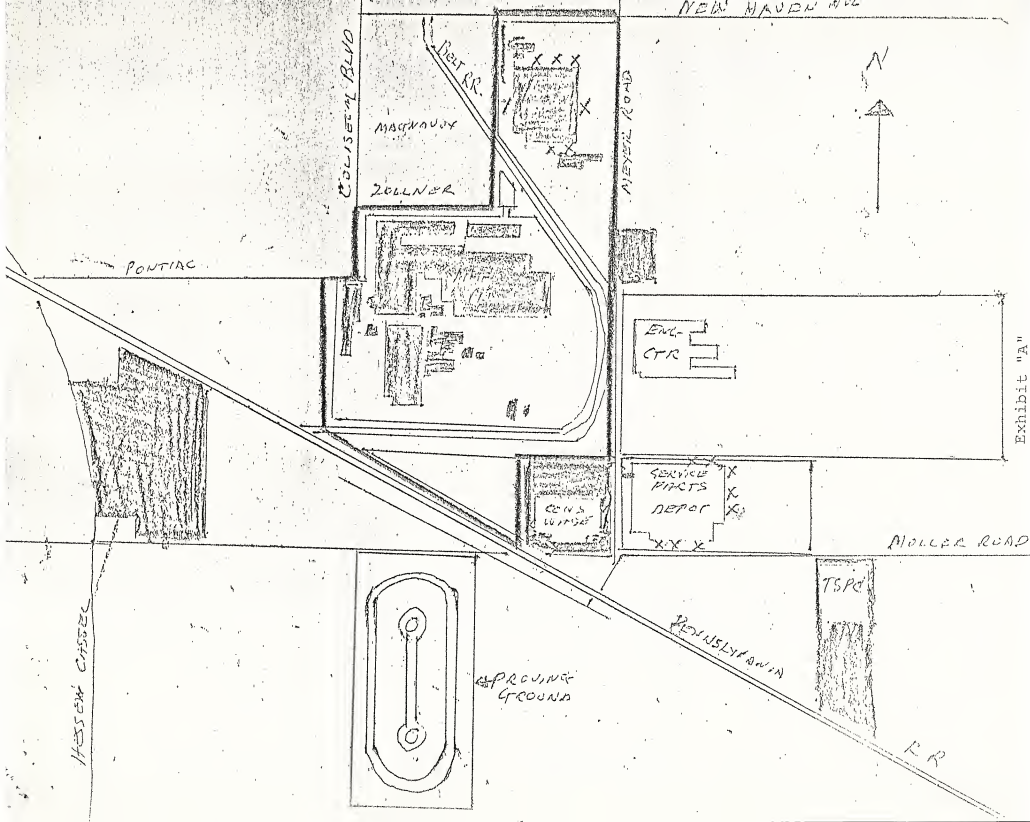


Exhibit "A"



## DIGEST SHEET

Finance  
J-73-05-08

TITLE OF ORDINANCE RATIFICATION OF ATTACHED CONTRACT  
DEPARTMENT REQUESTING ORDINANCE PUBLIC SAFETY  
SYNOPSIS OF ORDINANCE APPENDIAL OF CITY CONTRACT  
WITH INTERNATIONAL HARVESTER CO. FOR  
FIRE PROTECTION FROM PORT WATERS FIRE DEPARTMENT  
IN SPECIFIED GROUNDS OUTSIDE CITY LIMITS

EFFECT OF PASSAGE THE GUARANTEED FIRST RESPONSE FIRE  
PROTECTION CITY "FIRE-FIGHTING" FUND INCREASES.

EFFECT OF NON-PASSAGE THE LOSS FIRST-RESPONSE PROTECTION  
CITY "FIRE-FIGHTING" FUND NON-EXISTENT.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) NO DIRECT COST  
TO CITY. "FIRE-FIGHTING" FUND INCREASES BY  
\$51,528.50.

ASSIGNED TO COMMITTEE (J.N.) Finance W/L

## ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

	BILL NO.	<i>1-73-0508</i>
	ORDINANCE NO.	<i>1-60-73</i>
<input checked="" type="checkbox"/>	REGULAR SESSION	<i>5-8-73</i>
	SPECIAL SESSION	
	APPROVED AS TO FORM AND LEGALITY	<i>Yellav</i>
	BILL WRITTEN BY	<i>Orville R. Pugh</i>
	DATE INTRODUCED	<i>5-22-73</i>
	REFERRED TO SAID STANDING COMMITTEE	<i>Finance</i>
	REFERRED TO CITY PLAN	
	LEGAL PUBLIC HEARING	
	LEGAL PUBLICATION	
	JOINT HEARING	
	DEPARTMENT HEARING	
	HOLD FILE	
<input checked="" type="checkbox"/>	PASS	<i>5-22-73</i>
	DO NOT PASS	
	WITHDRAWN	
	SUSPENSION OF RULES	
	PRIOR APPROVAL	
	ORDINANCE TAKEN OUT OF OFFICE	
	OTHER INSTRUCTIONS REGARDING ORDINANCE	
	CORRECTIONS MADE TO ORDINANCE	
	PEOPLE SPEAKING FOR ORDINANCE	
	PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
X	<del>ZONING</del> MAPS <i>Fire Protection Control</i>
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Deputy Secy.

## COUNCILMAN'S VOTE

	YES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS: